

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA     )  
                                      )  
                  V.                    ) Cr. No. 04-10170-GAO  
                                      )  
DOMINGA RODRIGUEZ                 )

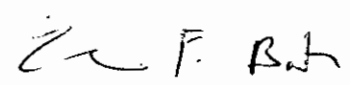
**STATEMENT OF RELEVANT FACTS**  
**PURSUANT TO F.R.Cr.P. 32(b)(4)**

As its statement of relevant facts pursuant to F.R.Cr.P.  
32(b)(4) the United States submits the attached memorandum of  
ICE Special Agent David J. Golden.

Respectfully submitted,

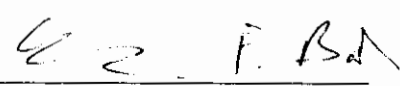
MICHAEL J. SULLIVAN  
United States Attorney

By:

  
CHRISTOPHER F. BATOR  
Assistant U.S. Attorney  
Date: 7/15/05

**CERTIFICATE OF SERVICE**

I, CHRISTOPHER F. BATOR, certify that I have served a copy  
of the above upon U.S. Probation Officer Allyson Lorimer by hand  
and Benjamin D. Entine, Esq., 77 Franklin Street, Boston, MA  
02110 by first class mail.

  
CHRISTOPHER F. BATOR  
Assistant U.S. Attorney  
Date: 7/15/05

U.S. Department of Homeland Security  
JFK Federal Bldg.  
Boston, MA 02203



U.S. Immigration  
and Customs  
Enforcement

May 13, 2004

MEMORANDUM FOR: NADINE PELLEGRINI  
ASSISTANT UNITED STATES ATTORNEY  
BOSTON, MASSACHUSETTS

FROM: David J. Golden  
Special Agent

SUBJECT: Re-entry After Deportation, Dominga RODRIGUEZ (A91 366 241)

Dominga RODRIGUEZ, a native and citizen of the Dominican Republic, was born on August 11, 1969.

A review of RODRIGUEZ's Immigration Alien File ("A-File") and criminal record indicates she was first encountered by INS on August 23, 1988, when the vehicle in which she was riding was stopped by the New York State Police. INS subsequently brought deportation proceedings against RODRIGUEZ and on December 2, 1988, the immigration judge ordered her removed to the Dominican Republic.

On September 28, 1992, RODRIGUEZ was admitted to the United States as an immigrant.

On May 19, 1993, RODRIGUEZ was arrested at the San Juan International Airport while attempting to depart Puerto Rico with a quantity of cocaine. As a result, on March 2, 1994, she was convicted in the U.S. District Court, San Juan of possession with intent to distribute cocaine; aiding and abetting, and sentenced to 60 months imprisonment. Again, RODRIGUEZ was placed in removal proceedings and on April 18, 1995, ordered removed to the Dominican Republic by the Immigration Judge in Boston. On November 20, 1997, RODRIGUEZ was deported to the Dominican Republic from Miami.

On May 6, 2004, RODRIGUEZ was encountered by ICE deportation officers in Lawrence, Massachusetts while they were attempting to execute a warrant of deportation on her mother, Gladys RODRIGUEZ. RODRIGUEZ claimed to be Maribel RODRIGUEZ, another daughter of Gladys. A check of ICE indices revealed that an application to obtain legal status based on marriage to a United States citizen had been filed on behalf of Maribel RODRIGUEZ. However, fingerprint examination had revealed that these two people were one in the same and the application was not approved. RODRIGUEZ was taken into custody and transported to the Boston ICE Office where her fingerprints were taken and faxed to the FBI. The examination of the fingerprints confirmed that they were the fingerprints of Dominga RODRIGUEZ.

Memorandum for Assistant United States Attorney  
Subject: Re-entry After Deportation, Lenny JIMENEZ-Beltre (A76 682 755)

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On May 13, 2004, the FBI Special Processing Unit examined a faxed copy of the fingerprint card taken from RODRIGUEZ at the following her arrest on May 6, 2004 and the right index fingerprint on the Warrant of Deportation and found them to be of the same individual and identical with FBI# 724969JA4.

A travel document request to the Consulate-General of the Dominican Republic was completed on May 13, 2004.

I have reviewed the documents contained in RODRIGUEZ's A-File (A91 366 241) maintained by ICE and there is no documentation to suggest that she ever applied for permission to reenter the United States following her deportation on November 20, 1997.

This case is being referred to your office for prosecution consideration under 8 USC 1326.